



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUL 30 2008

OFFICE OF
THE REGIONAL ADMINISTRATOR

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No. 7006 2760 0000 8650 5644

Mr. Troy Leitschuh
South Central Region Compliance Manager
IESI Timber Ridge Landfill
HCR 63 Box 581
Richwoods, Missouri 63071

Subject: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for IESI Timber Ridge Landfill, Richwoods, Missouri

Dear Mr. Leitschuh:

This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at the IESI Timber Ridge Landfill (Timber Ridge), Richwoods, Missouri, MDNR Permit No. 0122103. Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of Timber Ridge, and finds the facility acceptable for the receipt of off-site waste. Such off-site wastes are defined as those wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

On May 22, 2008, the Missouri Department of Natural Resources (MDNR) conducted a Compliance Evaluation Inspection (CEI) of Timber Ridge, to determine Timber Ridge's compliance with Resources Conservation and Recovery Act (RCRA). The results from the May 22, 2008, CEI, indicate that Timber Ridge is currently in compliance with RCRA. Additionally, MDNR reviewed Timber Ridge's compliance with other applicable environmental standards and the results indicate that Timber Ridge is currently in compliance with other applicable environmental standards. Therefore, effective upon receipt of this letter Timber Ridge is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop, the Agency reserves the right to revisit this decision. By issuing this notice, EPA is in no way authorizing Timber Ridge to undertake any waste management practice at this facility for which Timber Ridge has not been previously authorized by MDNR or EPA.

If you have any questions concerning this matter, please contact Deborah Finger, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. Askew", written over a horizontal line.

John B. Askew
Regional Administrator

cc: Cecilia Campbell, MDNR
Dennis Hansen, MDNR